

FEB 18 2015

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## SENATE CONCURRENT RESOLUTION

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AUTHORIZING THE ISSUANCE OF A TERM LEASE AND NON-EXCLUSIVE  
EASEMENT FOR PIER PILINGS ENCROACHMENT PURPOSES AT PULAWAI,  
ON THE ISLAND OF LANAI.

1 WHEREAS, pier pilings, which are the remnants of a cattle  
2 chute constructed in the early 1900s to load cattle onto ships  
3 during the period when a cattle industry existed on the island  
4 of Lanai, occupy 585 square feet of parcel 002, Pulawai, Lanai,  
5 identified by Tax Map Key: (2) 4-9-17; and  
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7 WHEREAS, the Office of Conservation and Coastal Lands  
8 determined that the pier pilings are the remnants of a  
9 nonconforming use and that a conservation district use permit is  
10 not required; and  
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12 WHEREAS, the Office of Conservation and Coastal Lands also  
13 found that the pier pilings are noted as Site 50-40-98-1522 on  
14 the State Inventory of Historic Properties and recommended that  
15 Pulama Lanai enter into discussions with the Maui District Land  
16 Office and the Historic Preservation Division of the Department  
17 of Land and Natural Resources; and  
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19 WHEREAS, Lāna'i Resorts, LLC dba Pulama Lanai is interested  
20 in maintaining the historic site and asked for an easement for  
21 the encroachment; and  
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23 WHEREAS, Pulama Lanai agreed to a security deposit of  
24 \$250,000 for the pier pilings, to be applied to any future  
25 consideration or other applicable charges and has provided to  
26 the Department of Land and Natural Resources a CAD map with the  
27 metes and bounds of the leased area, prepared by a licensed  
28 surveyor; and  
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## S.C.R. NO. 24

1 WHEREAS, on June 13, 2014, the Board of Land and Natural  
2 Resources approved Pulama Lanai's request for a 55-year term  
3 lease and non-exclusive easement for pier pilings encroachment  
4 purposes; and  
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6 WHEREAS, section 171-53(c), Hawaii Revised Statutes,  
7 requires the approval of the Governor and prior authorization of  
8 the Legislature by concurrent resolution for the leasing of  
9 state submerged lands and lands beneath tidal waters; now,  
10 therefore,  
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12 BE IT RESOLVED by the Senate of the Twenty-eighth  
13 Legislature of the State of Hawaii, Regular Session of 2015, the  
14 House of Representatives concurring, pursuant to section 171-53,  
15 Hawaii Revised Statutes, that the Board of Land and Natural  
16 Resources is authorized to issue a term lease of fifty-five  
17 years and non-exclusive easement for 585 square feet seaward of  
18 parcel 002, Pulawai, Lanai, identified by Tax Map Key: (2) 4-9-  
19 17 for pier pilings encroachment purposes; and  
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21 BE IT FURTHER RESOLVED that certified copies of this  
22 Concurrent Resolution be transmitted to the Chairperson of the  
23 Board of Land and Natural Resources.  
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OFFERED BY: J. Alan Eguchi

